

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

3 UNITED STATES OF AMERICA,) Case 1:21-cr-245
4)
Plaintiff,)
5)
v.) Alexandria, Virginia
6) November 10, 2021
IGOR Y. DANCHENKO,) 10:05 a.m.
7)
Defendant.)
8) Pages 1 - 6

9 TRANSCRIPT OF ARRAIGNMENT

10 BEFORE THE HONORABLE ANTHONY J. TRENGA

11 UNITED STATES DISTRICT COURT JUDGE

12 APPEARANCES:

13 FOR THE PLAINTIFF:

14 MICHAEL T. KEILTY, ESQUIRE
15 ANDREW DEFILIPPIS, ESQUIRE
JONATHAN E. ALGOR, ESQUIRE
16 U.S. DEPARTMENT OF JUSTICE
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18 FOR THE DEFENDANT:

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20 LOWENSTEIN SANDLER, LLP
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22 THE DEFENDANT, IGOR Y. DANCHENKO, IN PERSON
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25 COMPUTERIZED TRANSCRIPTION OF STENOGRAPHIC NOTES

1 THE COURT: Good morning. As you may know,
2 we've had a little excitement here in the courthouse.
3 A pipe burst on one of the upper floors, and it's
4 migrated its way down through the courthouse. We are
5 dry here, but I understand there is a possibility that
6 the water may in some fashion migrate to this area.
7 But we're going to proceed as long as we can, and I
8 think we'll be fine.

9 Call the first case, please.

10 THE CLERK: Criminal Case 1:21-cr-245, *United*
11 *States v. Igor Danchenko*.

12 Counsel, will you please note your
13 appearances for the record.

14 MR. KEILTY: Good morning, Your Honor, Mike
15 Keilty, Andrew DeFilippis, and Jonathan Algor for the
16 United States.

17 THE COURT: Good morning.

18 MR. SCHAFBUCH: Good morning, Your Honor.
19 Christopher Schafbuch on behalf of Mr. Danchenko, who
20 is in the courtroom beside me.

21 THE COURT: All right. We're here for an
22 arraignment.

23 Will Mr. Danchenko come to the podium,
24 please, with counsel.

25 Counsel, have you provided a copy of the

1 indictment to Mr. Danchenko, and have you reviewed it
2 with him?

3 MR. SCHAFBUCH: I have, Your Honor.

4 THE COURT: All right. Does he waive reading
5 of the indictment?

6 MR. SCHAFBUCH: Yes, we do, Your Honor.

7 THE COURT: All right. Does he demand a jury
8 trial?

9 MR. SCHAFBUCH: Yes, we do.

10 THE COURT: All right. Mr. Danchenko, with
11 respect to the indictment, how do you plead? Guilty or
12 not guilty?

13 THE DEFENDANT: Not guilty, Your Honor.

14 THE COURT: All right. Are there any speedy
15 trial issues here that we need to talk about?

16 MR. SCHAFBUCH: I don't believe so, Your
17 Honor, no.

18 THE COURT: You're requesting a trial date
19 within the speedy trial limit?

20 MR. SCHAFBUCH: That raises a complication,
21 Your Honor. My cocounsel, Mark Schamel, will be in
22 trial for approximately two months. He's currently
23 before Judge Greer in the Eastern District of Tennessee
24 right now.

25 We're also waiting for discovery. I

1 understand it's forthcoming. Judge Buchanan has issued
2 a discovery order. So I think right now we're okay.

3 We would be willing to waive speedy trial if
4 that's appropriate.

5 THE COURT: All right. Mr. Keilty, do you
6 want to speak to this?

7 MR. KEILTY: Yes, Your Honor. Just to give
8 Your Honor an outline of discovery in this case, we
9 believe that discovery is going to be fairly extensive.
10 The government will move expeditiously to produce the
11 unclassified discovery as soon as possible, but there's
12 going to be a vast amount of classified discovery here,
13 Your Honor. We believe CIPA will be implicated, and we
14 will have to move under that act.

15 THE COURT: All right. Have you discussed
16 with counsel proposed trial dates?

17 MR. KEILTY: Just briefly, Your Honor. We
18 think probably spring of 2022 is the earliest possible
19 trial date.

20 Just to go back to discovery, Your Honor, we
21 are working with defense counsel to get them proper
22 clearances in order to review the classified material.

23 THE COURT: All right. I'm going to set this
24 matter down for trial on April 18. Based on the
25 information available to the Court, the Court will

1 certify this case as a complex case and that the
2 interest of justice outweigh the interest of the
3 defendant or the public in proceeding to trial within
4 the speedy trial limits.

5 I'm not going to set any -- well, I'm going
6 to preliminarily set motions dates. I'm going to give
7 a motions deadline of January 21, and I'll hear motions
8 on February 23.

9 I also want counsel to confer on deadlines
10 for CIPA notices and any CIPA proceedings that are
11 necessary.

12 MR. KEILTY: Yes, Your Honor.

13 THE COURT: All right. Anything further?

14 MR. SCHAFBUCH: No, Your Honor.

15 THE COURT: All right. What's the
16 government's position on pretrial release?

17 MR. KEILTY: Your Honor, the defendant is
18 currently out on bond. We ask that that be continued.

19 THE COURT: All right. Counsel, do you want
20 to be heard any further on that?

21 MR. SCHAFBUCH: That's acceptable, Your
22 Honor.

23 THE COURT: All right. Mr. Danchenko, will
24 you come to the podium, please.

25 As you know, a plea of not guilty has been

1 entered on your behalf. I've set this matter down for
2 trial on April 21 in this courtroom beginning at
3 9:00 a.m.

4 Between now and when you appear here for
5 trial, you'll remain on pretrial release under the
6 terms and conditions already imposed and remain under
7 the supervision of Pretrial Services and Probation.

8 All right. Counsel are excused.

9 The defendant is released.

10 MR. KEILTY: Thank you, Your Honor.

11 MR. SCHAFBUCH: Thank you, Your Honor.

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Time: 10:09 a.m.

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22 I certify that the foregoing is a true and
23 accurate transcription of my stenographic notes.

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/s/
Rhonda F. Montgomery, CCR, RPR